Approved: _____
JIM LIGTENBERG
Assistant United States Attorney

Before: THE HONORABLE JUDITH C. McCARTHY
          United States Magistrate Judge
          Southern District of New York

- - - - - - - - - - - - - - - - - - X

UNITED STATES OF AMERICA

    - v. -

RICHARD LOCKETT,

                Defendant.

- - - - - - - - - - - - - - - - - - X

20 Mag 9128

COMPLAINT

Violation of 18 U.S.C.
§§ 751(a) and 4082(a)

COUNTIES OF OFFENSE:
BRONX; WESTCHESTER

SOUTHERN DISTRICT OF NEW YORK, ss.:

       BRIAN O'SULLIVAN, being duly sworn, deposes and says that he is a Deputy United States Marshal with the United States Marshals Service ("USMS"), and charges as follows:

COUNT ONE
(Escape)

       1.   From on or about March 18, 2017 through on or about April 6, 2017, in the Southern District of New York, RICHARD LOCKETT, the defendant, knowingly did escape and attempt to escape from the custody of the Attorney General and his authorized representative, and from an institution and facility in which he was confined by direction of the Attorney General, and from custody under and by virtue of process issued under the laws of the United States by a court, judge, and magistrate judge, which custody and confinement was by virtue of a conviction of an offense, to wit, LOCKETT, while in the custody of the Bronx Residential Reentry Center ("Bronx RRC"), located at 2532-2534 Creston Avenue in the Bronx, New York, following a conviction in the United States District Court for the Southern District of New York for using a communication facility in the commission of a drug trafficking offense, in violation of 21 U.S.C. § 843(b), left the Bronx RRC without authorization, fled to Westchester County, and failed to return to the Bronx RRC.

(Title 18, United States Code, Sections 751(a) and 4082(a).)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

2.   I am a Deputy United States Marshal with the USMS and have been so employed for approximately 11 years. This affidavit is based upon my personal participation in the investigation of this matter, as well as on my conversations with other law enforcement officers and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts I have learned during the investigation. Where the contents of documents or the actions, statements, or conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3.   Based on my review of documents and reports from the Department of Justice, the Federal Bureau of Prisons ("BOP"), the Bronx RRC, and the New York, New Jersey Regional Fugitive Task Force ("Fugitive Task Force"), I have learned, among other things, the following:

a.   RICHARD LOCKETT, the defendant, was convicted in the United States District Court for the Southern District of New York, 13 Cr. 880 (CS), of using a communication facility in the commission of a drug trafficking offense, in violation of 21 U.S.C. § 843(b). In connection with that conviction, on or about April 23, 2015, the Honorable Cathy Seibel, United States District Judge for the Southern District of New York, sentenced LOCKETT to a term of 48 months' imprisonment to be served in the custody of the BOP. LOCKETT was also sentenced to a three-year term of supervised release.

b.   On or about September 27, 2016, LOCKETT was transferred from USP Canaan in Waymart, Pennsylvania to the Bronx RRC, which is a BOP facility.
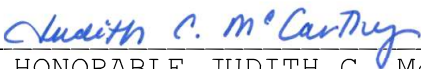
c.   On or about March 28, 2017, LOCKETT walked out of the Bronx RRC with all of his belongings, without a pass.

d.   On or about April 6, 2017, members of the Fugitive Task Force found LOCKETT in Port Chester, New York and arrested him.

WHEREFORE, the deponent respectfully requests that a warrant issue for the arrest of RICHARD LOCKETT, the defendant, and that he be arrested and imprisoned, or bailed, as the case may be.

/s/ Brian O'Sullivan, Badge No. 4424
_____
BRIAN O'SULLIVAN   *(signed by JCM with permission)*
Deputy United States Marshal, USMS

Sworn to before me this
26th day of August, 2020

_____
THE HONORABLE JUDITH C. McCARTHY
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK

3